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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/653,810	09/01/2000	Katherine G. August	LUT 2 0034	5991

7590 10/06/2004

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EXAMINER

LUU, LE HIEN

ART UNIT	PAPER NUMBER
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2141

DATE MAILED: 10/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/653,810	AUGUST ET AL.	
	Examiner	Art Unit	
	Le H Luu	2141	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 5/4/04 - 7/14/04.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|----------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____ |

1. Claims 1-18 are presented for examination.
2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless—

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-17 are rejected under 35 U.S.C. § 102(b) as being clearly anticipated by **Bull et al. (Bull)** patent no. **5,901,287**.
4. As to claim 1, Bull teaches the invention as claimed, including an enterprise information and communication system comprising:
 - at least one database (all datastores in Bull's teaching col. 9 line 42 - col. 10 line 20);
 - a transaction management engine operative to manage transaction information and move the transaction information to and from the database (col. 11 lines 64-67);
 - an access management engine for maintaining security of the system wherein the access management engine is operative to hold records of at least one user and associates of the user and information to which the at least one user and associates have access and to provide permission for accessing the at least one database (col. 6 line 59 - col. 7 line 57; col. 8 lines 59-64);

an information mining engine operative to sort information within the at least one database and to locate information stored on remote devices (col. 6 lines 37-56; col. 7 line 59 - col. 8 line 15); and

an input control engine operative to maintain and use device drivers accepting and managing input from the user through the associated devices (col. 3 lines 26-42; col. 13 lines 9-31).

5. As to claim 2 Bull teaches a profile manager operative to store and analyze information in the at least one database about the at least one user and about devices associated with the system (col. 8 line 59 - col. 9 line 39).

6. As to claim 3 Bull teaches a time management engine operative to maintain control of time sensitive events and information in the at least one database and to generate messages regarding time sensitive information (col. 8 lines 17-22; col. 12 lines 13-16).

7. As to claims 4-6, Bull teaches translation engine, provisioning engine, control operative to negotiate and allocate information and communication system resources (col. 9 line 37 - col. 10 line 20).

8. As to claim 7, Bull teaches a central communication device operative to access the at least one database and at least one of the transaction management engine,

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access management engine, and for communicating with a local network (col. 9 line 37 - col. 11 line 67).

9. As to claim 8-11, Bull teaches a plurality of input devices and output devices linked to the central communication device (col. 3 lines 26-42; col. 4 lines 6-14).

10. Claims 12-17 have similar limitations as claims 1-11; therefore, they are rejected under the same rationale.

11. In the remarks, applicant argued in substance that

(A) Prior art does not teach a user and associate of the user.

As to point (A), Bull teaches user and advertisers (associate of the user) (col. 6 lines 59-65; col. 7 lines 47-57).

(B) Prior art does not teach an access management engine for maintaining security of the system wherein the access management engine is operative to hold records of at least one user and associates of the user and information to which the at least one user and associates have access.

As to point (B), Bull teaches user access system for authenticating user and advertisers, and Bull's system hold records of users and advertisers and information to which user and advertisers have access (col. 6 line 59 - col. 7 line 57; col. 8 lines 59-64; user accesses user profile datastore, advertiser accesses to advertising activity datastore).

(C) Prior art does not teach a transaction management engine.

As to point (C), Bull teaches a session management system tracks and records user's activity (col. 11 lines 64-67).

(D) Prior art does not teach an input control engine operative to maintain and use device drivers accepting and managing input from the user through the associated devices.

As to point (D), Bull teaches user uses mouse and keyboard of a personal computer to input commands to access Bulls' system (col. 3 lines 26-42; col. 13 lines 9-31; mouse and keyboard are inherently used device drivers).

(E) Prior art does not teach a profile manager operative to store and analyze information in the at least one database about the at least one user and about devices associated with the system.

As to point (E), Bull teaches browsing activity datastore is analyzed by the session profile update and user profile datastore is updated, and reports prepared based on analyzing browsing activity datastore uses I/O system (col. 8 line 59 - col. 9 line 39).

(F) Prior art does not teach a time management engine operative to maintain control of time sensitive events and information in the at least one database and to generate messages regarding time sensitive information.

As to point (F), Bull teaches real time session analysis system monitors browsing activity datastore during user's session, and user interrupt system periodically notifies user of specialized software text agents (col. 8 lines 17-22; col. 12 lines 13-16).

(G) Prior art does not teach translation engine, provisioning engine, control operative to negotiate and allocate information and communication system resources

As to point (G), Bull teaches I/O system provides data output to be formatted for variety of devices; operations system provides collecting user profile information and formulates search screens. In addition, Bull teaches Advertising datastore includes conditional criteria for ad/coupon placement (col. 9 line 37 - col. 11 line 67).

(H) Prior art does not teach an information receiver operative to review and possibly storing information pushed at the information.

As to point (H), Bull teaches advertising report that includes Ad/Coupon appended to information aggregation and synthesization system along with known information about user is stored in advertising activity datastore (col. 8 lines 59-64).

12. Moreover, Office personnel are to give claims their broadest reasonable interpretation in light of the supporting disclosure. In re Morris, 127 F.3d 1048, 1054-55, 44 USPQ2d 1023, 1027-28 (Fed. Cir. 1997). Limitations appearing in the specification but not recited in the claim are not read into the claim. In re Prater, 415 F.2d 1393, 1404-05, 162 USPQ 541, 550-551 (CCPA 1969). See also In re Zletz, 893 F.2d 319, 321-22, 13 USPQ2d 1320, 1322 (Fed. Cir. 1989) ("During patent examination the pending claims must be interpreted as broadly as their terms reasonably allow.... The reason is simply that during patent prosecution when claims can be amended, ambiguities should be recognized, scope and breadth of language explored, and clarification imposed.... An essential purpose of patent examination is to fashion

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claims that are precise, clear, correct, and unambiguous. Only in this way can uncertainties of claim scope be removed, as much as possible, during the administrative process.”). Therefore, limitations that are argued by applicant but are not in claimed language are not being considered by Examiner.

13. Applicant's arguments filed on 05/04/2004 and 07/14/2004 have been fully considered but they are not deemed to be persuasive.

14. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 C.F.R. § 1.136(a).

A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS FINAL ACTION IS SET TO EXPIRE THREE MONTHS FROM THE DATE OF THIS ACTION. IN THE EVENT A FIRST RESPONSE IS FILED WITHIN TWO MONTHS OF THE MAILING DATE OF THIS FINAL ACTION AND THE ADVISORY ACTION IS NOT MAILED UNTIL AFTER THE END OF THE THREE-MONTH SHORTENED STATUTORY PERIOD, THEN THE SHORTENED STATUTORY PERIOD WILL EXPIRE ON THE DATE THE ADVISORY ACTION IS MAILED, AND ANY EXTENSION FEE PURSUANT TO 37 C.F.R. § 1.136(a) WILL BE CALCULATED FROM THE MAILING DATE OF THE ADVISORY ACTION. IN NO EVENT WILL THE STATUTORY PERIOD FOR RESPONSE EXPIRE LATER THAN SIX MONTHS FROM THE DATE OF THIS FINAL ACTION.

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Le H. Luu, whose telephone number is (703) 305-9650. The examiner can normally be reached Monday through Friday from 7:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Rinehart, can be reached at (703) 305-4815. The fax phone number for the organization where this application or proceeding is assigned is (703) 746-7240.

Any inquiry of a general nature of relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9600.

Any response to this final action should be mailed to:

Box AF

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 746-7239, (for formal communications; please mark
"EXPEDITED PROCEDURE").

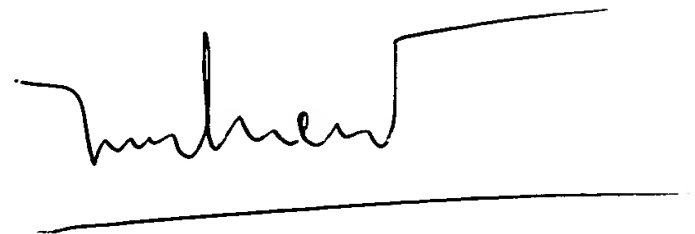
Or:

(703) 746-7240 (for informal or draft communications, please label
"PROPOSED" or "DRAFT").

Or:

(703) 746-7238 (for After Final
communications).

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).



LE HIEN LUU
PRIMARY EXAMINER

September 29, 2004